

### **REMARKS**

Claims 1, 2 and 4 – 12 are pending and under consideration in the above-identified application. Claim 3 was previously cancelled.

In the Office Action, Claims 1, 2 and 4 – 12 are rejected.

In this Amendment, Claims 1, 2, 4, 6 – 7 and 9 – 12 are amended. Claim 8 is cancelled and Claims 13 – 15 are added. No new matter has been introduced as a result of this Amendment.

Accordingly, Claims 1, 2 4 – 7 and 9 – 15 are at issue.

#### **I. Objection to the Specification**

The disclosure was objected because of informalities.

Applicant has appropriately amended the Specification as requested by the Examiner, and respectfully request that this objection be removed.

#### **II. Objection to the Claims**

Claims 6 – 8 were objected to because of informalities.

Applicant has appropriately amended these claims as requested by the Examiner, and respectfully request that this claim objection be removed.

#### **III. 35 U.S.C. § 101 Statutory Rejection of Claims**

Claims 7, 8, 11 and 12 was rejected under 35 U.S.C. § 101 because the claimed invention is directed to a non-statutory subject matter.

In response, Applicant has amended Claims 7, 8, 11 and 12 as recommended by the Examiner.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

#### **IV. 35 U.S.C. § 112 Indefiniteness Rejection of Claims**

Claims 1-12 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has appropriately amended the claims at issue to clarify the first set of information units and the second set of information units, thereby providing a distinction between these two sets of units.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

**V. 35 U.S.C. § 103 Obviousness Rejection of Claims 1, 2 and 6-8**

Claims 1, 2 and 6-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jalali in view of Hamilton (U.S. Patent No. 6,392,993).

Claim 1 is directed to an information processing apparatus for transmitting information to a transmission party via a network in predetermined units. The information processing apparatus comprises *a first dividing unit for dividing information into a first set of information unit*, a first transmission unit for transmitting first information to the transmission party through the network via the first set of information units, a receiving unit for receiving, from the transmission party, *indication* about the reception of the *first set of information units* transmitted by the first transmission unit, *a second dividing unit for dividing each of the first set of information units* into a second set of information units, a second transmission unit for transmitting the *second set of information units*.

That is, the information processing apparatus comprises a first dividing unit for dividing information into a first set of information unit and a second dividing unit for dividing each of the first set of information units into a second set of information units, and a second transmission unit for transmitting the second set of information units.

In contrast, both Jalali and Hamilton fail to teach or suggest a second dividing unit for dividing each of the first set of information units into a second set of information units and a second transmission unit for transmitting the second set of information units.

The Examiner acknowledges that Jalali does not disclose dividing initial information into a first set of information units, which are in turn each divided into a set of second information units, but states that Hamilton does.

Hamilton discloses dividing each message (information) into a plurality of packets (units) as underscored in reference 124 of Fig 7. However, in Hamilton each of the plurality of units is not further subdivided into a corresponding second set of information units to be transmitted by a second transmission unit.

Thus, Hamilton fails to teach or suggest a second dividing unit for dividing each of the first set of information units into corresponding second sets of information units, and a second transmission unit for transmitting the second set of information units.

Accordingly, Claim 1 is patentable over Jalali and Hamilton, taken singly or in combination with each other, as is dependent Claim 2 for at least the same reasons.

Claims 6 and 7 recite the same distinguishable limitation as that of Claim 1. As such, Claim 6 and 7 are patentable over Jalali and Hamilton, taken singly or in combination with each other, as are dependent Claims 14 and 15 for at least the same reasons.

Accordingly, Applicant respectfully request that this claim rejection be withdrawn.

#### **35 U.S.C. § 103 Obviousness Rejection of Claim 4**

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jalali (U.S. Publication No. 2004/0098657) in view of Hamilton (U.S. Patent No. 6,392,993) as applied to claim 1 above, and further in view of Tseung (U.S. Patent No. 5,109,384).

Claim 4 is dependent on Claim 1 shown above to be allowable over Jalali in view of Hamilton. Moreover, in addition to Jalali and Hamilton Tseung also fails to fairly teach or suggest a second dividing unit for dividing each of the first set of information units into corresponding second sets of information units, and a second transmission unit for transmitting the second set of information units.

As such, no combination of the cited references fairly teaches or suggests the subject matter of Claim 1. Thus, Claim 1 is patentable over the cited references, taken singly or in any combination with each other, as is dependent Claim 4.

Accordingly, Applicant respectfully request that this claim rejection be withdrawn.

**VI. 35 U.S.C. § 103 Obviousness Rejection of Claim 5**

Claim 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jalali in view of Hamilton and Tseung as applied to claim 4 and further in view of Kamihara (U.S. Patent No. 6,854,020).

Claim 5 is indirectly dependent on Claim 1 shown above to be allowable over Jalali, Hamilton and Tseung. Moreover, in addition to Jalali, Hamilton and Tseung Kamihara also fails to fairly teach or suggest a second dividing unit for dividing each of the first set of information units into corresponding second sets of information units, and a second transmission unit for transmitting the second set of information units.

Thus, no combination of the cited references fairly teaches or suggests the subject matter of Claim 1. Accordingly, Claim 1 is patentable over the cited references, taken singly or in any combination with each other, as is dependent Claim 5.

Accordingly, Applicant respectfully request that this claim rejection be withdrawn.

**VII. Conclusion**

In view of the above amendments and remarks, Applicant submits that Claims 1, 2 4 – 7 and 9 – 15 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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